



Department of Energy

Richland Field Office

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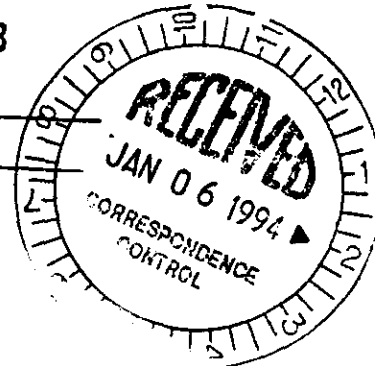
Mr. Douglas R. Sherwood
Hanford Project Manager
U.S. Environmental Protection Agency
712 Swift Boulevard, Suite 5
Richland, Washington 99352

Jim K. Patterson

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Mr. Roger F. Stanley, Director
Tri-Party Agreement Implementation
State of Washington
Department of Ecology
P.O. Box 47600
Olympia, Washington 98504-7600

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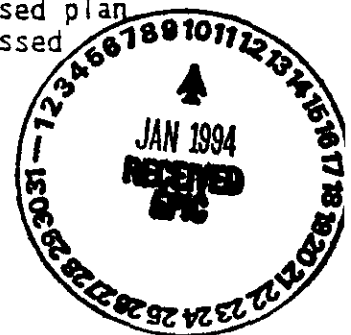
Dear Messrs. Sherwood and Stanley:

ENVIRONMENTAL RESTORATION DISPOSAL FACILITY (ERDF) REGULATORY FRAMEWORK

Having recently completed the Hanford Federal Facility Agreement and Consent Order (Tri-Party Agreement) negotiations, this letter provides a much needed response to the State of Washington Department of Ecology (Ecology) and the U.S. Environmental Protection Agency (EPA) letter to L. E. Little and J. R. Hunter from D. Silver and R. Smith, "Environmental Restoration Storage and Disposal Facility" dated May 14, 1993, which endorsed the use of the Corrective Action Management Units (CAMU) Rule.

As a result of those negotiations the three parties agreed that the regulatory authority for what is now known as the ERDF would require "approval under a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Record of Decision (ROD) and/or Hazardous and Solid Waste Amendments [of 1984] (HSWA) using the Corrective Action Management Units (CAMU) Rule." The U.S. Department of Energy, Richland Operations Office (RL) also understands that the principal regulatory agency, originally identified as EPA, has changed such that EPA will be the lead agency for the design phase and Ecology will assume the lead rule for construction and operation of the ERDF.

DOE has begun preparation of a single regulatory package embracing the necessary administrative requirements of both the Resource Conservation and Recovery Act (RCRA) and CERCLA which we believe offers the most time-effective and efficient method of documenting how the ERDF meets CAMU evaluation criteria (as cited in the CAMU regulations), while simultaneously addressing the CERCLA evaluation criteria. This package will be composed of a proposed plan, to meet CERCLA remediation process requirements, and a Part B permit application, to meet RCRA corrective action process requirements using the CAMU rule. Additionally, in our continuing efforts to streamline regulatory requirements, a two part appendix will be prepared as part of the permit application to address the integration of the National Environmental Policy Act (NEPA) and CERCLA requirements. Part one of the appendix will address NEPA values which have been captured through the CERCLA-based proposed plan. Part two will include those NEPA documents which could not be addressed through the CERCLA process.



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Knowing that both EPA and Ecology recognize the unique challenge associated with developing and documenting a sound legal framework for this kind of regulatory package, DOE requests that both parties specify any other documentation they deem necessary to support the proposed regulatory package.

Timely and decisive identification of additional documentation required is necessary in order to: 1) provide the lead regulatory agency a comprehensive package with which they can make appropriate ROD findings in the best possible manner, and 2) ensure progress according to an aggressive schedule that requires a ROD be issued by September 1994 and that construction be initiated by October 1994.

In closing, initiation of the CAMU is an important step in the goal toward achieving environmental excellence at Hanford and DOE views this step as yet another demonstration of shared commitment to environmental restoration of the Hanford Reservation. If you have any questions, please contact Mr. Bryan L. Foley of the Environmental Restoration Division, on (509) 376-7087.

Sincerely,

ERD:BLF


Leo E. Little, Assistant Manager
for Environmental Management


J. R. Hunter, Assistant Manager
for Waste Management

Attachment

cc w/o attach:
V. R. Dronen, WHC
R. Hibbard, Ecology
P. S. Innis, EPA
J. M. Patterson, WHC
F. V. Roeck, WHC

CORRESPONDENCE DISTRIBUTION COVERSHEET

Author

Addressee

Correspondence No.

Leo E. Little, RL
J. R. Hunter, RL

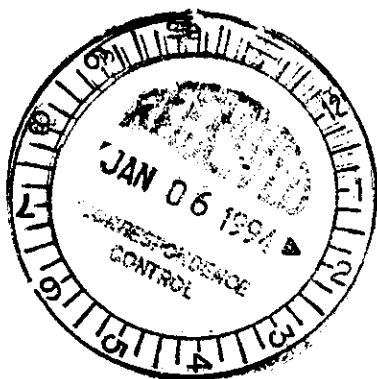
Douglas R. Sherwood, EPA
Roger F. Stanley, Ecology

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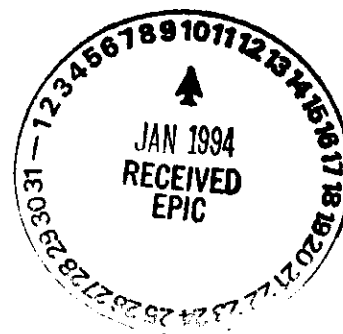
Subject: Environmental Restoration Disposal Facility (ERDF) Regulatory Framework

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Attachment not included with original.



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